

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

UNITED STATES OF AMERICA
V.

Jose Carlos Garcia-Tolano

United States Courts
Southern District of Texas
FILED

CRIMINAL COMPLAINT

November 03, 2023

Case Number:

M-23-1928-M

Nathan Ochsner, Clerk of Court

IAE YOB: 1982
Mexico

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

On or about November 1, 2023 in Hidalgo County, in
the Southern District of Texas

The Defendant being then and there an alien who had previously been deported from the United States to Mexico in pursuance of law, and thereafter was found near Pharr, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the Defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:

Jose Carlos Garcia-Tolano was encountered by Border Patrol Agents near Pharr, Texas, on November 1, 2023. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on November 1, 2023, near Pharr, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States on July 22, 2023, through Hidalgo, Texas. Prior to Deportation/Exclusion, the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security.

On July 21, 2023, the Defendant was convicted for 8 USC 1326 Illegal Re-Entry and sentenced to time served.

Continued on the attached sheet and made a part of this complaint:

☐ Yes ☒ No

Complaint authorized by A. Parcell

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed. R. Cr.P.4.1, and probable cause found on:

November 3, 2023 8:10 AM

Nadia S. Medrano, U.S. Magistrate Judge
Name and Title of Judicial Officer

/s/ Israel Perez

Signature of Complainant

Israel Perez

Border Patrol Agent

Signature of Judicial Officer